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8 **UNITED STATES DISTRICT COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
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11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 TERREN SCOTT PEIZER,

15 Defendant.
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Case No. 2:23-cr-00089(A)-DSF

**ORDER STAYING ENFORCEMENT
OF CRIMINAL MONETARY
PENALTIES AND RESTRAINING
ASSETS FOR PAYMENT OF
CRIMINAL MONETARY
PENALTIES PENDING APPEAL**

1 BASED ON THE PARTIES' STIPULATION, AND GOOD CAUSE HAVING
2 BEEN SHOWN, IT IS HEREBY ORDERED that:

3 The collection of Defendant Terren Scott Peizer's \$12,711,324 forfeiture
4 judgment, \$5,250,000 fine, and \$300 mandatory special assessment fee (collectively
5 referred to as "criminal monetary penalties") is stayed during the pendency of his
6 appeal upon the following conditions:

7 a. If Mr. Peizer's Motion for Bond Pending Appeal ("Motion for
8 Bond") is denied and that ruling is upheld on direct appeal, and he is required
9 to self-surrender, the \$2,000,000 portion of his bond that is secured by cash
10 shall not be exonerated upon surrender. Instead, pursuant to 28 U.S.C. §
11 2044, the \$2,000,000 shall continue to be held by the Clerk of the Court
12 during the pendency of his direct appeal;

13 b. After Mr. Peizer has exhausted his direct appeal and his conviction
14 becomes final, the Clerk of the Court shall apply the \$2,000,000 to any
15 outstanding criminal monetary penalties pursuant to 28 U.S.C. § 2044, and, if
16 he owes none or a lesser amount, then the Clerk of the Court shall return to
17 Mr. Peizer any amount not applied toward criminal monetary penalties;

18 c. Additionally, within 14 days of the Court's ruling on Mr. Peizer's
19 pending Motion for Bond, Mr. Peizer shall transfer to a segregated
20 Oppenheimer brokerage account shares of the Federal National Mortgage
21 Association (FNMA) in the following amount:

22 i. If Mr. Peizer's Motion for Bond is granted – and he thus
23 remains released on bond – then the number of shares equal to the
24 value of the full criminal monetary penalties of \$17,961,624; or

25 ii. If Mr. Peizer's Motion for Bond is denied and that ruling is
26 upheld on appeal, and he is required to self-surrender, then the number
27 of shares equal to the full criminal monetary penalties amount less
28 \$2,000,000, which is \$15,961,624;

1 iii. Mr. Peizer shall file a status report within 14 days of the
2 ruling on his Motion for Bond, notifying the Court and the government
3 that shares of the Federal National Mortgage Association totaling no
4 less than either \$17,961,624 or \$15,961,624 (depending on whether the
5 Motion for Bond was granted or denied) were transferred to the
6 segregated Oppenheimer brokerage account, and providing the last four
7 digits of the account to the Court;

8 d. In either case, the Court hereby enters a restraining order preventing
9 the transfer of shares placed in the segregated Oppenheimer account during
10 the pendency of Mr. Peizer's direct appeal, and that order shall be served on
11 Oppenheimer as well as Mr. Peizer via counsel;

12 e. If, after having exhausted his direct appeal, Mr. Peizer still owes any
13 criminal monetary penalties, Mr. Peizer consents that within 30 days of a
14 request made upon counsel for Mr. Peizer by the government pursuant to this
15 section, Mr. Peizer shall cause Oppenheimer to liquidate the shares held in the
16 segregated account and shall make payments as follows to satisfy those
17 criminal monetary penalties;

18 i. Either \$3,250,300 or \$5,250,300 (depending on whether the
19 Motion for Bond was previously granted or denied), shall be paid to the
20 Clerk of the Court for satisfaction of the special assessment and the
21 total fine;

22 ii. As part of this agreement, the government shall not to impose
23 penalties for delinquency or default pursuant to 18 U.S.C. § 3612,
24 during the pendency of the direct appeal;

25 iii. if Mr. Peizer's full payment is not received pursuant to the
26 terms of the parties' stipulation within 30 days of the government's
27 request, Mr. Peizer shall be considered delinquent and in default, and
28 shall be required to pay penalties pursuant to 18 U.S.C. § 3612(g);

